



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

STANLEY "SKIP" PRUSS
DIRECTOR

Advisory Administration Unit (AAU)

Policy Issuance: 09-03

E-mailed to MWAs on 4/21/2010 tr

Date: April 21, 2010

To: Michigan Works! Agency (MWA) Directors

From: Alisande Henry, Manager, AAU

Subject: Michigan Department of Energy, Labor & Economic Growth (DELEG) Policy regarding the local Workforce Development Board (WDB), and Youth Council (YC) responsibilities and compositions. Also included are recertification criteria for Calendar Years (CY) 2010 (January 1 through December 31, 2010), and 2011 (January 1, 2011 through December 31, 2011), for the WDBs and YCs.

Programs Affected: All Programs Administered by the MWAs

Rescissions: AAU Policy 07.00 issued October 18, 2007.

References: The Workforce Investment Act (WIA) of 1998
The Job Training Partnership Act (JTPA) of 1992
Public Act 267 of 1976 (Open Meetings Act)
Public Act 491 of 2006 (Michigan Works! One-Stop Service Center System Act)
DELEG - Bureau of Workforce Transformation Michigan Works! Systems Plan, PI 09-27, issued January 1, 2010
AAU Policy Issuance 09-04 issued April 21, 2010, regarding policy on the Education Advisory Groups (EAGs).

Background: Enabling workers to acquire the skills necessary to succeed in today's 21st Century knowledge-based economy is central to Michigan's strategy for economic transformation and is the foundation for the Governor's No Worker Left Behind (NWLB) initiative. The NWLB initiative aligns all federal workforce

DELEG is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

dollars used for worker training into a unified workforce development strategy.

Policy:

This policy provides the due dates for the submittal of all documentation necessary for the recertification of each local WDB and YC for CYs 2010 and 2011. All required forms and instructions are attached.

If the EAG is the designated YC, then complete the YC Roster w/ those individuals delineated.

The changes in this policy from the previous issuance are as follows:

- Removes the EAG from this policy. The EAG policies and certification will be addressed in a separate issuance.
- The sequence of this policy has been updated; the categorization of the topics has changed.
- For the WDB, this policy expands the sectors that a Local Elected Official may represent.
- For the WDB, this policy eliminates the 150% nomination requirement.
- For all of the local boards, revises the timelines for the submittal of Membership Change Forms.
- For the WDB, clarifies a Conflict of Interest Provision.
- Additional clarification is provided in the instructions for the WDB Disclosure Report Form.
- When approved meeting minutes are posted on the internet, it is also a requirement to e-mail the document to the AAU.

Action:

The WDB and the YC recertification materials shall be submitted electronically via e-mail no later than May 5, 2010 to the attention of Mr. Christopher Rosborough, at Rosboroughc@michigan.gov. No extensions will be granted.

A WDB/YC Recertification package consists of the following completed documents:

- WDB Conflict of Interest Attestment (Attachment II)*
- WDB Disclosure Report Form (Attachment III)*
- WDB Composition Summary (Attachment IV)
- WDB Membership Roster (Attachment V)
- WDB Alternate Roster (elective) (Attachment VI)
- Youth Council Roster (Attachment VII)
- Calendar Year meeting schedules for the WDB and YC.

*With the submissions of the WDB recertification materials, please submit a hard copy of the Conflict of Interest Attestment and the WDB Disclosure Report Form with original CEO signatures to the attention of:

Mr. Christopher Rosborough, Workforce Specialist
Michigan Department of Energy, Labor & Economic Growth
Advisory Administration Unit
Victor Office Center
201 North Washington Square, Suite 150
Lansing, Michigan 48913

MWA officials will follow the policies contained in this issuance, effective immediately, through December 31, 2011.

Inquiries:

In accordance with the Americans with Disabilities Act, the information contained in this PI will be made available in alternative format (large type, audio tape, etc.) upon special request received by this office.

Questions regarding this policy should be addressed to CLEG, at 517-241-84028 or cleg@michigan.gov.

Expiration

Date: December 31, 2011

AEH/CMR/TR
Attachments

TABLE OF CONTENTS

Section	Page #
I. WDBs	6
A. Board Membership Requirements	6
1. Composition & Nomination	6
2. Private Sector Representation	7
3. Education Representation	7
4. Employment Service (ES) Representation	7
5. Community Based Organization (CBO) Representation	7
6. Economic Development Representation	8
7. Organized Labor Representation	8
8. Vocation Rehabilitation Representation	8
9. Public Assistance Representation	8
10. DELEG Representation	9
11. Reappointment	9
12. Terms	9
13. Designation of Alternates	9
14. Notification of Membership Changes	9
15. Conflict of Interest Provisions	10
B. Roles and Responsibilities	13
1. WIA Defined	14
2. Staff Delivery of Client Services/Waiver Request Procedure	15
3. Meeting Frequency	17
4. Quorum Requirements	17
5. Compliance w/ Open Meeting Act/ Posting of Minutes	17
6. Additional Requirements	17
7. Submitting Meeting Schedule to the AAU	18
II. Youth Council	
A. Board Membership Requirements	18
1. Composition	18
B. Roles and Responsibilities	19
1. WIA Defined	19
2. Compliance w/ Open Meetings Act/ Posting of Minutes	19
3. Filling Vacancies	20
4. Submitting Meeting Schedule to the AAU	20

Attachment I	Roles and Responsibilities of the Local Boards
Attachment II	WDB Conflict of Interest Attestment
Attachment III	WDB Disclosure Report Form and Instructions
Attachment IV	WDB Composition Summary
Attachment V	WDB Membership Roster and Instructions
Attachment VI	WDB Alternate Roster and Instructions
Attachment VII	Youth Council Roster and Instructions
Attachment VIII	Change in Membership Form an Instructions

I. WDBs

A. Board Membership Requirements

1. Composition & Nomination

The WIA, Section 117(i), Local Workforce Investment Boards, paragraph (I) Alternative Entity allows for the “grandfathering” of the Job Training Partnership Act (JTPA), Private Industry Councils (PICs). The State of Michigan has exercised this option. WDBs must comply with Section 102 and Section 103 of the JTPA, which identify PIC requirements for the governance of JTPA programs. Minimally, the composition of WDBs, for all voting members, must meet the following requirements for PIC composition:

The CEO makes all appointments to the WDB based on nominations received from local entities representing the sector for the appointment. The CEO shall ensure all appointees reflect the broad scope and mission of the board.

A majority of the membership and the chairperson shall be private sector representatives.

With the exception of the ES representative (and possibly the education and labor representatives) all WDB members must be currently employed in the sector they represent. Additional details are provided in those sections.

Individuals are prohibited from representing more than one sector, except for the DELEG & ES representative which, is further clarified in those sections.

The nominations and individuals selected as private sector members to the board must reasonably represent the industrial and demographic composition of the business community within the MWA’s service area.

Individuals representing all other required board sectors must be diverse and representative of the demographic composition of the communities in which services are delivered.

A local elected official (LEO) may be appointed as a member, but must meet the membership requirements of one of the required sectors; Private Sector, Education, ES, CBO, Economic Development, Organized Labor, Vocational Rehabilitation, DELEG, and/or Public Assistance. This official must undergo the nomination process, and cannot serve as an official of the board. There may be no more than two elected officials serving on any local WDB.

For purpose of this policy, LEOs are defined as county commissioners, mayors, or city council members of the jurisdiction(s), which has previously been designated by the Governor as a MWA. This definition of LEO excludes other elected officials, such as county clerks, county treasurers, township supervisors, school board members, etc.

2. Private Sector Representation

Private sector representatives shall be selected from among individuals nominated by general-purpose business organization (i.e., Chamber of Commerce, Industry Associations, etc.), after the organizations consult with and receive recommendations from other business organizations in the MWA area.

Two private sector members must be representatives from the 15 largest businesses within the geographical boundaries of the MWA. The largest businesses are to be determined by the number of employees. Local source documents shall be utilized to make these determinations and maintained on-site for monitoring purposes.

Private sector representatives from hospitals or health care institutions must represent private non-profit facilities.

3. Educational Representation

There must be at least two representatives on the WDB from educational agencies, which are defined (WIA, Section 117 (b)(2)(A)(ii)) as representatives of local education entities, local school boards, entities providing adult education and literacy activities and postsecondary educational institutions (including representatives of community colleges, where such entities exist), and must be selected from amongst individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities.

By majority vote, the EAG may choose to nominate one of the two required education representatives. CEOs should give considerable priority to this nomination when selecting WDB members.

4. ES Representation

WDB membership must include one representative from ES. The ES representative shall be appointed in one of the following ways:

- An ES State staff person, or,
- A Private Sector Member who is currently utilizing and has extensive background in utilizing ES services, or
- Designation of the entire WDB as the ES representative.

5. CBO Representation

There shall be at least one representative from a CBO (WIA, Section 101 [7]) “the term “community-based organization” means a private non-profit organization that is representative of a community, or a significant segment of a community, and that has demonstrated expertise and effectiveness in the field of workforce investment.”

The combined representation from organized labor and CBOs shall constitute at least 15 percent of the total membership of the board.

6. Economic Development Representation

There shall be at least one Economic Development Representative on each WDB. From the WIA Section 101 (11), “the term “economic development agencies” includes local planning and zoning commissions or boards, community development agencies, and other local agencies and institutions responsible for regulating, promoting, or assisting in local economic development.”

7. Organized Labor Representation

There shall be at least one representative on each local WDB representing labor. From the WIA, Section 117(b)(2) (iii) “representatives of labor organizations (for a local area in which employees are represented by labor organizations), nominated by local labor federations, or (for a local area in which no employees are represented by such organizations), other representatives of employees.”

Labor representatives shall be selected from individuals recommended by recognized state or local labor federations. If the state or local labor federation fails to nominate an individual to meet the labor representation requirements, individual workers that are members of the labor organization, or stewards, may be appointed to the board to complete the labor representation.

The combined representation from organized labor and CBOs shall constitute at least 15 percent of the total membership of the board.

8. Vocational Rehabilitation Representation

There shall be at least one representative from a Vocational Rehabilitation provider. This can be an employee of the State of Michigan, DELEG, Michigan Rehabilitation Services (MRS), but there are other positions that fulfill this requirement. In eight of the 25 MWA areas there are State of Michigan, Commission for the Blind employees that could appropriately fill this position.

9. Public Assistance Representation

There shall be at least one representative representing Public Assistance on each local WDB. Per the WIA, (and State of Michigan Public Act 491 of 2006) there shall be at least one representative from the local Public Assistance Agency, (the Department of Human Services).

10. Department of Energy, Labor & Economic Growth Representation

The State of Michigan Public Act 491 of 2006 mandates that a representative from the Department of Energy, Labor & Economic Growth (DELEG) be on each WDB. This representative may be an employee of the Employment Service, Michigan Rehabilitation Services, the Michigan Commission for the Blind, or another employee of the Department. In this instance, dual representation will be allowed. These representatives shall be nominated by the department.

11. Reappointment

WDB members may be re-nominated to maintain his or her existing seat at the end of a term, provided the re-nomination is initiated by the same sector responsible for the original nomination. This decision is to be made at the discretion of the nominating sector without influence from the WDB.

12. Terms

WDB members shall be appointed for fixed and staggered terms, and one term may not exceed three years. If a member is not being reappointed, they may serve for the 60 days allowed to fill their vacancy.

13. Designation of Alternates

Members of the WDB may have official alternates appointed to attend meetings on their behalf. If the CEO chooses to allow alternates, each alternate is required to be from the same sector, but not necessarily from the same organization or company as the member they represent. An example would be a WDB member who is a manager of a restaurant with the alternate being another restaurant manager. In addition:

- The selection of all designated WDB alternates will follow the standard nomination and appointment process.
- Included in the process is the final appointment by the CEO based on nominations received from local entities representing the sector for the appointment.
- Alternates must also satisfy all other requirements of a regular WDB member. The appointment of an alternate will not increase the WDBs total number of votes.

14. Notification of Membership Changes to AAU

Adding New Members: When a new member is appointed to the WDB, the Membership Change Form must be completed and submitted to the DELEG AAU, within five business days of the appointment.

Resignations: When the MWA receives a resignation for any of the local boards, a Membership Change Form must be submitted within five business days of the receipt of the resignation.

Filling Vacancies: Vacancies must be filled within sixty (60) calendar days. In addition, vacancies do not count towards a quorum.

Long Term Vacancies. WDBs with outstanding long-term (older than 60 days) vacancies will not be certified until the vacancy is filled. If a position has been eliminated, the AAU must be notified within five business days, utilizing the Membership Change Form.

15. Conflict of Interest Provision

WDB members must assure that their individual interests do not conflict or give the appearance of conflicting with their duties while serving in their appointed positions. Conflict of interest requirements must be met as soon as board members are appointed.

Federal Law: WIA, Section 117(g) states:

“A member of a local board may not:

- (i) Vote on a matter under consideration by the local board-
 - (a) regarding the provision of services by such member (or by an entity that such member represents); or
 - (b) that would provide direct financial benefit to such member or immediate family of such member; or
- (ii) Engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the state plan.

Federal Regulations: WIA Regulations, Section 667.200 states:

- (i) A State Board member or a Local Board member or a Youth Council member must neither cast a vote on, nor participate in any decision-making capacity, on the provision of services by such member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member or a member of his immediate family.
- (ii) Neither membership on the State Board, the Local Board, the Youth Council nor the receipt of WIA funds to provide training and related services, by itself, violates these conflict of interest provisions.

Further, from the State of Michigan, Michigan Works! One-Stop Service Center System Act 491 of 2006, Section 408.125 Conflict of interest.

Sec. 15

- (i) A local workforce development board and each member of the board shall avoid a conflict of interest with duties of the board. Except as provided in subsection (2), an individual shall not be appointed to or

serve on a local workforce development board if he or she has an ownership interest in or is employed by an organization that receives money under the direct control of the board or if the individual engages in any other activity that creates a conflict of interest or what would appear to a reasonable person to be a conflict of interest.

(ii) An individual who has an interest in or is employed by an entity that receives money under the partial or complete control of the local workforce development board may be appointed to or continue to serve on the board if the individual does not hold a policy-making position with the entity and would not receive other than a remote or incidental benefit from the board's decisions.

(iii) The exception to the strict conflict of interest policy provided in subsection (2) applies to allow local workforce development board representation from entities such as a school that enrolls students with tuition, paid from funds under the control of the board, a government agency from which representation is required, and an employer that accepts compensation for extraordinary costs of providing on-the-job training from funds under the board's control."

WDB Conflict of Interest Definition: A conflict of interest is a circumstance in which the member's individual interest impairs, or gives the appearance of impairing their ability to make unbiased decisions or provide unbiased public services. A conflict of interest is also any matter before the WDB in which a member of the entity the member represents has a financial or personal interest, which is in conflict or gives the appearance of conflict with the execution of the member's activities. An individual that appears to be motivated to acquire improper influence over the board also constitutes a conflict of interest.

Conflict of Interest Examples: A conflict of interest occurs when a WDB member is employed by an organization that receives funds under the direct control of the board, (such as service providers). A service provider is a business entity or person that contracts with a board to provide one or more workforce services, including core, intensive training, or other supportive services. Service providers are precluded from serving on the WDB, except for state agencies, and/or community colleges or universities.

Not only are WDB employees precluded from serving on the board, but also employees of agencies who are contracted by WDB to provide coordination services or administrative functions. Coordination is an administrative function that can be provided by WDB staff or contracted to another agency.

WDB members are also prohibited from serving as Labor/Management Committee Chairs (Joint Adjustment Committee [JAC]) Chairs within their MWA jurisdiction.

Appearance of Conflict: Occasionally, there is an appearance of a conflict of interest when there is no actual conflict of interest. A WDB member may be associated with an organization that receives funds under the direct control of the board, but should not be construed as a conflict of interest. Examples include:

- WDB members that are employed by a company that receives compensation for the extraordinary cost of providing on-the-job training (OJT) to program participants,
- WDB members that are employed by institutions of learning that receive funds from Training Vouchers or Individualized Training Accounts, and
- WDB member that are employed by a company that participates in the Incumbent Worker Program.

These instances must be reported on the WDB Disclosure Report that describes the extent to which agencies with whom the WDB members are affiliated receive funds controlled by the board. It should also be noted on the Disclosure Report form the date of the published minutes, when the WDB member abstained from voting on the matter, (if applicable).

Abstention from Voting: Certain situations may require that the board member abstain from voting on issues with which they are affiliated and from influencing other votes on those issues, including:

- A WDB member serves on a board of another agency that receives funds under the direct control of the WDB and the individual is also an employee of that agency;
- A WDB member serves on a board of another agency that receives funds under the direct control of the WDB, but is not employed by the agency;
- A WDB member representing the education sector is a school board member for a district that receives funds under the control of the WDB, but not employed by the school district; or,
- A WDB member that is an employee of an agency/institution that receives funds under the direct control of the WDB, such as state agency staff and/or Community College/University staff.
- Instances of abstentions from voting shall be recorded in the minutes, and shall identify the member(s) abstaining.

Responding to RFPs: WDB members and committee members (individual serving on WDB committees may or may not be WDB members) representing agencies that are service providers or potential service providers that will be

responding to RFPs are not to be appointed to any committee or subcommittee of the WDB that can directly affect the funding of current or potential service providers. Examples of such are proposal and performance review committees.

If an agency currently represented on a local WDB intends to respond to a bid process (RFP) for delivery of program services, the individual representing that agency must become an “inactive” member at the time of bid submission. The inactive status of a member will be recorded in the meeting minutes. In inactive status, a member does not receive information from the WDB for the duration of the bidding timeline, nor does he/she vote or participate at meetings of the WDB while in inactive status. Quorum policies would be applied to active members of the board. Inactive members may attend a meeting on the same basis as a member of the general public.

Upon award of a contract, if the member’s agency did not win the award, the individual is reactivated as a participating member. If the member’s agency is awarded a contract, the member must immediately resign.

B. Roles & Responsibilities

The WDBs exist to help position Michigan’s workforce to be the competitive asset for Michigan employers and to help these employers hire and retain the talent they need to drive their success. The roles they play have shifted and encompass a much different and expanded set of skills and knowledge than in prior years.

Michigan’s WDB’s play a vital set of roles within the state’s workforce system. Some of these roles are delineated in the WIA. Others are based on state policy. It is the State of Michigan’s strategic intent that WDBs across the state be highly effective across three dimensions:

To serve as conveners and catalyst of many stakeholders within their communities to identify and resolve workforce development issues and opportunities. WDBs should:

- Center much of their work on the strategic areas of community building visioning, and change management around important local/regional issues.
- Support entrepreneurial activities and public policy debate around workforce within their communities.
- Collaborate and integrate their efforts with economic development organizations in their region, and focus on how to jointly and mutually be effective in defining and addressing issues facing regional economics.

To create and maintain comprehensive workforce investment plans for their regions, and engaging diverse constituencies in the process.

- The strategic planning function should be a cornerstone activity for the boards. Engaging various community leaders, including locally elected officials, education representatives, and community-based organizations in a process that builds alignment and ownership for the plan, as well as engaging the active participation of the various stakeholder communities needs to become a pivotal part of the boards' mission.

To oversee the funding and delivery of services to employers and jobseekers across WIA, NWLB, Jobs Education and Training (JET), and other resources, through Michigan Works! Service Centers and other delivery means.

- WDBs will be the oversight and quality standard bearers in the implementation of these (and other) state and federal programs.
- WDBs have the responsibilities of oversight of the YCs, the EAGs, and the formation of rapid response teams.
- WDBs responsibilities will remain tied to the procurement of Service Center operators, oversight of Michigan Works! Service Centers and the initiator of the Memorandums of Understanding (MOUs) as determined by the local partners participating in the workforce system.

The state's expectations regarding additional resource attainment is one that is pivotal to the expanded role that the WDBs will play. WDBs should be focused on securing additional funding for the programs, activities and planning developed locally in order to attain the business solutions needed and guided by their strategic plan.

Specific Responsibilities of WDBs, EAGs, and YCs for Selected Programs and Activities within the Michigan Workforce Investment System are outlined in the chart attached to this policy, (Attachment I).

1. WIA Defined

Listed below is a compilation of many citations from the WIA in regards to the purpose, functions, and responsibilities of the local WDBs.

The Chief Elected Officials (CEOs) and local WDBs work together and in partnership to ensure that workforce development needs in a local workforce area are met, and that local workforce service goals are achieved.

The WIA, Section 117 (a) Establishment, states:

“There shall be established in each local area of a state, and certified by the Governor of the State, a local workforce investment board, to set policy for the portion of the statewide workforce investment system within the local area (referred to in this title as a “Local workforce investment system”).”

Purpose & functions of the local WDBs:

Approve local Workforce Plans that:

- Ensures the achievement of local performance measures.
- Develop a local plan that:
 - selects service center operators
 - selects youth providers
 - identifies eligible training providers
 - identifies intensive services providers
 - develops a budget
 - provides direction for the disbursement of funds.
- Provides program oversight
- Negotiates performance measures
- Assists in developing the statewide employment statistics system
- Coordinates the WIA programs and economic development
- Promotes the participation of the Private Sector
- Complies with the Sunshine Provision; provide information on local board activities
- Establishes a YC

WIA, Section 118

Develop a five-year plan that:

- Ensures Continuous Improvement
- Develops MOU w/ each of the Service Center Partners
- Describes assessment of fiscal agent, eligible providers, and Service Center delivery

- Coordinates Rapid Response
- Provides for local comment
- Solicits comments for the local plan

- Designates (w/ the CEO) on certifying Service Center operators

WIA, Section 122

- Establishes a list of Training Providers

2. Staff Delivery of Client Services/Waiver Request Procedure

In adherence to the WIA, Section 117 (f)(1)(B), WDB staff may not deliver client services for programs funded by the DELEG unless a waiver is granted prior to the beginning of the program. Client services are those participant activities authorized by the funding source and include intake, counseling, eligibility determination, and case management. Client service waiver requests for programs shall be submitted in a fashion to allow sufficient time for the DELEG staff to review requests for completeness and compliance with policy, on behalf of the Governor.

Waiver Request: A waiver request to deliver client services must be submitted in writing to the DELEG with the following:

- A letter to the DELEG director requesting the waiver;
- Justification of the waiver, (see criteria below);
- The goals of the waiver and the expected programmatic outcomes if the request is granted;
- The processes used to monitor the progress in implementing the waiver; The time period the requested waiver covers; A description of the processes that provide any local entity(ies) affected by the waiver an opportunity to comment on the waiver request;
- A description of how the WDB will ensure meaningful public comment on the waiver, including comment by business and organized labor, and
- A letter of support from the local CEO.

Waiver Justification: Appropriate examples of waiver justification to provide client services shall include one or more of the following:

- Evidence that a Request for Proposal (RFP) was released and that no responses to the RFP were received;
- Evidence that agencies responding to an RFP are not capable of providing the services required;
- Evidence that agencies currently providing services are not meeting the needs of participants and/or employers;
- A minimum of two years of historical data which demonstrates that
- MWA staff has provided client services much more cost effectively than the responding agencies.

Fact Finding Process: DELEG may approve or deny the request based upon the criteria set forth above. DELEG may require additional information prior to making a decision on granting a waiver. In such instances, the DELEG

will contact the MWA director to schedule a fact-finding meeting. In addition:

- Prior to said meeting, the MWA director will be requested to place a meeting notice in local newspaper(s) and invite the agencies which submitted proposals, plus any other agencies affected by the waiver request; local WDB members, local elected officials, and the general public to attend.
- A staff member of the DELEG will attend the meeting to solicit further input on the waiver request.
- The DELEG staff will report findings to the department, for consideration of the waiver request on behalf of the Governor.

Waiver Approval: The requestor will be notified of DELEG's action by DELEG staff. Until a waiver request is approved, MWA staff cannot deliver client services.

3. Meeting Frequency: One official meeting of the WDB shall, at minimum, be held each quarter. For WDBs choosing to meet quarterly, one or more subcommittees shall be formed, with meetings held in between the dates of the full WDB meetings.
4. Quorum Requirements : No official WDB business may be conducted in the absence of a quorum. To constitute a quorum, 50 percent of the total membership at the time of the meeting must be in attendance. Vacancies do not count towards a quorum.
5. Compliance w/Open Meetings Act/ Posting of Minutes: In compliance with the Michigan Open Meetings Act (MCLA 15.261 ET, Seq., P.A. 267 of 1976) all WDBs, and subcommittee(s), if applicable, shall adhere to Section 15.269, which states:
 - Each public body shall keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at meetings open to the public, and the purpose or purposes for which a closed session is held.
 - The minutes shall include all roll call votes taken at the meeting.
 - Corrections in the minutes shall be made not later than the next meeting after the meeting to which the minutes reference. Corrected minutes shall be available no later than the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction.
 - Draft minutes shall be available for public inspection at the MWA administrative office not more than 8 business days after the meeting to which the minutes refer.

- Approved minutes shall be available for public inspection not later than five business days after the meeting at which the minutes are approved by the public body.

Posting of Meeting Minutes:

All approved meeting minutes shall be posted not more than five business days after the meeting at which they were approved. When the minutes are posted online, an electronic copy shall be submitted to DELEG staff , at cleg@michigan.gov. at Rosboroughc@michigan.gov.

- All posted meeting minutes must remain on the website for a minimum of two years.

6. Additional Requirements

Attendance: Attendance requirements and associated penalties must be developed and detailed in the local WDB bylaws.

WDB By-laws: Must address a procedure to be followed in the event the board chooses not to accept the EAG’s recommended course of action.

7. Submitting Meeting Schedule to AAU: The schedule of WDB, (and subcommittee(s) if applicable) meetings and locations for each year covered in this policy should be submitted when approved, or no later than January 15th, for each calendar year. The meeting schedule and locations shall also be posted on the MWA’s website.

II. Youth Council

A. Board Membership Requirements

1. Composition

Section 117 (h) (1) states “Establishment – There shall be established, as a subgroup with each local board, a youth council appointed by the local board, in cooperation with the chief elected official for the local area.” WDBs must designate YCs to provide insight and guidance on youth-related issues. At a minimum, all YCs must include all members whose sectors are delineated in option (a) below.

The WDB options in formulating an YC include:

- (a). A subgroup of the WDB to include:
- All private sector members
 - Economic development representative
 - Organized labor representative

- CBO representative
- Rehabilitation representative; or

(b). YCs can be expanded to include additional WDB members beyond the minimum required above; or

(c). Designation of the entire WDB as the YC; or

(d). Designation of the EAG as the YC.

Additional Input: Because Michigan’s WDBs are considered to be alternative entities the WIA requires local areas to ensure that their YCs seek input from specialists and organizations beyond those represented in the grandfathered composition of the boards, including:

- Service agencies,
- Juvenile justice and local law enforcement agencies,
- Local Public Housing Authorities,
- Parents of eligible youth,
- Former youth program participants,
- Representatives of organizations with experience relating to youth activities, and
- Local Job Corps Centers.

For example, a local area may choose to create a separate advisory council, composed of the parties additionally required under the WIA, to provide insight to the WDB on YC activities, or the WDB can add non-voting members with specific youth experience to address the broader representation envisioned in the WIA.

B. Roles & Responsibilities

1. WIA Defined

WIA. Section 117(h) YCs, Establishment – There shall be established, as a subgroup within each local board, a YC appointed by the local board, in cooperation with the chief elected official for the local area. As outlined in Attachment I, the duties of the YC are:

- Develop a local youth plan
- Recommend eligible youth providers.
- Conduct oversight
- Coordinate youth activities

2. Compliance w/Open Meetings Act/ Posting of Minutes: In compliance with the Michigan Open Meetings Act (MCLA 15.261 ET, Seq., P.A. 267 of 1976) all WDBs, and subcommittee(s), if applicable, shall adhere to Section 15.269, which states:

- Each public body shall keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at meetings open to the public, and the purpose or purposes for which a closed session is held.
- The minutes shall include all roll call votes taken at the meeting.
- Corrections in the minutes shall be made not later than the next meeting after the meeting to which the minutes reference. Corrected minutes shall be available no later than the next subsequent meeting after correction. The corrected minutes shall show both the original entry and the correction.
- Draft minutes shall be available for public inspection at the MWA administrative office not more than 8 business days after the meeting to which the minutes refer.
- Approved minutes shall be available for public inspection not later than five business days after the meeting at which the minutes are approved by the public body.

Posting of Meeting Minutes:

All approved meeting minutes shall be posted not more than five business days after the meeting at which they were approved. When the minutes are posted online, an electronic copy shall be submitted to DELEG staff at cleg@michigan.gov.

- All posted meeting minutes must remain on the website for a minimum of two years.

3. Filling Vacancies: Vacancies must be filled within 60 calendar days.

4. Submitting Meeting Schedule to AAU: The schedule of YC meetings and locations for each year covered in this policy should be submitted when approved, or no later than January 15th, for each calendar year. The meeting schedule and locations shall also be posted on the MWA's website. The website address that contains the meeting minutes must be provided with these schedules.

Roles & Responsibilities of the Local Boards

PROGRAMS/ACTIVITIES	RESPONSIBILITIES		
	WDBs	EAGs	YCs
Programs for which Board is responsible – Local Elected Official (LEO) is granting recipient (e.g., Workforce Investment Act Title I, Postsecondary Perkins, etc.)	Decision making authority	Advise WDB	Advise WDB
Federal Adult Education	Encourage alignment with Strategic Plan.	Advise WDB	Advise WDB
Adult Education – School Aid Section 107	Encourage alignment with strategic plan	Encourage alignment with strategic plan	Encourage alignment with strategic plan
Tech Prep	Encourage alignment with strategic plan	Review and Comment on Plans	Encourage alignment with strategic plan
Secondary Perkins	Encourage alignment with strategic plan	Review and Comment on Plans	Encourage alignment with strategic plan
Postsecondary Perkins	Encourage alignment with strategic plan	Review and Comment on Plans	Encourage alignment with strategic plan
Michigan Works! One-Stop Service Center System	Decision making authority	Advise WDB on any education related issue	Advise WDB on any youth related issue
Strategic Planning			
Strategic Planning: Unify the above state and federal programs, as well as locally managed resources that have an impact on the Michigan Workforce Investment System.	Overall management of the process Submit “Strategic Plan” to Department of Energy, Labor & Economic Growth Programs for which Board/LEO are responsible - decision making	Advise the WDB on education related issues Programs for which EAG members are responsible - decision making	Advise the WDB on youth related issues.

**Workforce Development Board
Conflict of Interest Attestation Form Instructions**

The Conflict of Interest Attestation Form must be signed by the Chief Elected Official and submitted to the Advisory Administration Unit of DELEG to ensure recertification of the local board. This form is an Attestation that a conflict of interest **does not exist** in regard to all WDB members.

This form must be completed, signed by the CEO and submitted to the AAU by January 15 of each year.

CONFLICT OF INTEREST ATTESTATION

Calendar Year 20__

Michigan Works! Agency

I, the undersigned, do attest that a conflict of interest does not exist with any of these Workforce Development Board members.

Chief Elected Official's Name (typed)

Chief Elected Official's Signature

Date

Please submit completed form with original signature to:

Council for Labor & Economic Growth (CLEG)
Department of Energy, Labor & Economic Growth (DELEG)
Advisory Administration Unit (AAU)
Victor Office Center, 201 N. Washington Square, Suite 150, Lansing, MI 48913
E-mail: cleg@michigan.gov – Telephone: (517) 241-8408

**WORKFORCE DEVELOPMENT BOARD (WDB)
DISCLOSURE REPORT FORM**

INSTRUCTIONS

This form is required to report the amount of funding received by agencies affiliated with WDB members, for the prior year. If there are no disclosures to report, this must be stated on the form and signed by the CEO.

The WDB Disclosure Report Form requires the following information:

- Name of individual member affiliated with an agency receiving funds controlled by the WDB, the sector that member represents, and the company/institution name the member is from.
- Name of agency with which the member is affiliated, (such as a school board member, college trustee, etc.).
- Type of funding (Workforce Investment Act, Jobs Education Training (JET) Wagner Peyser) affiliated agency receives.
- Amount of funds received by affiliated agency.
- Briefly, describe the purpose of funding received by an affiliated agency.
- Provide the date of the published meeting minutes that the WDB member abstained from voting associated with this disclosure.

**Workforce Development Board Disclosure Report Form
January 1, 2009 through December 31, 2009**

WDB Member Name, Sector, Company/Institution Name	Agency Affiliations	Source of Funding	Amount	Purpose of Funding	Date of Meeting Minutes Abstention

Michigan Works! Agency

Chief Elected Official's Name (typed)

Chief Elected Official's Signature
Date

Please submit completed form with original signature to:

Council for Labor & Economic Growth (CLEG)
Department of Energy, Labor & Economic Growth (DELEG)
Advisory Administration Unit (AAU)
Victor Office Center, 201 N. Washington Square, Suite 150, Lansing, MI 48913
E-mail: cleg@michigan.gov – Telephone: (517) 241-8408

**WDB COMPOSITION SUMMARY
INSTRUCTIONS**

The following WDB Composition Summary Form, indicating the actual number and percentage of representative by sector, must be completed and submitted as part of the certification package. Minimum composition requirements are noted. A majority shall be private sector representatives and the combined representation of CBOs/organized labor shall constitute a minimum 15% of total membership.

In the first column indicate the number of current members in each sector. In the second column, indicate the percentage of the entire membership that this number constitutes.

**WORKFORCE DEVELOPMENT BOARD
COMPOSITION SUMMARY**

Michigan Works! Agency

	Local Membership Composition		Minimum Requirements	
	#	%	#	%
Private Sector			N/A	51%
Education			2	N/A
ES			1	N/A
CBO			1 minimum*	Combined 15%
Organized Labor			1 minimum*	
Economic Development			1	N/A
Rehabilitation			1	N/A
Public Assistance Agencies (DHS)			1	N/A
DELEG			1	
Other				
TOTALS		100%	19 minimum	N/A

*Minimum total of three, due to the minimum 15 percent requirement.

Please submit completed form to:

Council for Labor & Economic Growth (CLEG)
Department of Energy, Labor & Economic Growth (DELEG)
Advisory Administration Unit (AAU)
Victor Office Center, 201 N. Washington Square, Suite 150, Lansing, MI 48913
E-mail: cleg@michigan.gov – Telephone: (517) 241-8408

WORKFORCE DEVELOPMENT BOARD (WDB) MEMBERSHIP ROSTER

INSTRUCTIONS

This form must be completed for recertification and final approval by the Governor in accordance with the following instructions. When duplicating the form for additional member information, ensure the header is on all duplicate pages. Only official voting members need be presented.

- A. Title, Name and Title of Position: Starting with the WDB chair, provide the title (Mr., Ms., Mrs., or Dr.), name of each member, and his/her title or position in the organization represented (Human Resources Director).
- B. Name and Type of Organization: Indicate the name of the organization by which the individual is employed and the type of industry or organization represented, i.e., manufacturing, construction, mining, transportation, communications, utility, wholesale, retail, finance, insurance, real estate, or services, etc.
- C. Mailing Address, E-mail Address, and Phone/Fax Numbers: Include the mailing address, E-mail address, and telephone and facsimile number for each member, if available. Mailing addresses cannot be the address of the MWA area office.
- D. Chair: Indicate by placing an X in Column D.
- E. Employee: Indicate by placing an X in Column E for each member employed by the organization noted in Column B.
- F. Sector: Indicate the sector represented:

Private Sector – The majority of the WDB must be from the private sector.

Top 15 – Two of the private sector representatives must be employed by two of the largest businesses in the area.

Education - The education representative may be a salaried employee of an educational organization, or an elected or appointed member of an educational board.

Employment Service (ES) - An ES state staff person, an employer who is currently utilizing and has extensive background in utilizing ES services, or the WDB itself.

CBO - Community-Based Organization.

Economic Development - Economic Development Agency.

Organized Labor - Recognized state and local labor organizations or appropriate building trades councils.

Vocational Rehabilitation – (such as MRS).

Public Assistance Agencies - Federal, state, or local agencies that provide government cash payments for which eligibility is determined by a need or income test (Department of Human Services).

Department of Energy, Labor & Economic Growth – A current employee of the Michigan Department of Energy, Labor & Economic Growth.

Other - For other sectors represented, specify: - local government, or Bureau of Apprenticeship and Training, Michigan Department of Corrections, etc.

- G. Education Advisory Group (EAG) Member – Indicate if the member also serves on the EAG.
- H. Term Timeframe - Identify each member's term time frame: Month – Year to Month – Year, (01/08 – 12/10).
- I. Elected Official: Indicate if member is an elected official (county commissioner, mayor, or city council member).
- J. Vacant Position - If a position is vacant and became vacant within the last 60 days, the vacancy may count as a regular member for recertification purposes. If this situation applies, place the word vacancy where the member's name would appear, provide the sector information, and place the vacancy posting date (Month/Day/Year), in the term timeframe box.

**Michigan Department of Energy, Labor & Economic Growth/ Advisory Administration Unit
Workforce Development Board (WDB) Membership Roster
Calendar Year 2010 & 2011**

Workforce Development Board: _____

Contact Person's Name, Title, Telephone number and E-Mail

A. TITLE, NAME, AND TITLE OF POSITION	B. NAME <u>AND</u> TYPE OF ORGANIZATION	C. MAILING ADDRESS, E-MAIL ADDRESS, PHONE AND FAX NUMBER	D. CHAIR	E. EMPLOYEE	F. SECTOR											G. EAG MEMBER	H. TERM TIME	I. ELECTED OFFICIAL	J. VACANCY	
					PRIVATE		EDUCATION	EMPLOYMENT SERVICE	CBO	ECONOMIC DEVELOPMENT	ORGANIZED LABOR	VOCATIONAL	PUBLIC	DELEG	OTHER					
						TOP 15														

Address: _____

**ALTERNATES ROSTER FOR WDBs
INSTRUCTIONS**

1. First column: Indicate the member for whom an alternate is designated.
2. Second column: Provide the name & title of the alternate member.
3. Third column: Provide the data for the alternate member.

**Alternates Roster
WDB**

WDB Member	Designated Alternate	Designated Alternate Contact Information
Name:	Name:	Organization:
	Title:	Mailing Address:
		Telephone Number:
		Fax Number:
Name:	Name:	Organization:
	Title:	Mailing Address:
		Telephone Number:
		Fax Number:
Name:	Name:	Organization:
	Title:	Mailing Address:
		Telephone Number:
		Fax Number:

YOUTH COUNCIL ROSTER INSTRUCTIONS

The Youth Council Roster needs to be completed entirely for all Youth Councils. When duplicating the roster for additional member information, ensure the header is on all duplicate pages. Only official voting members need be listed.

- I. Identify the Michigan Works! Agency (MWA)
- II. Provide contact person's name and data
- III. Check if Youth Council is composed of a subset of the WDB (does not include all WDB members)
- IV. Check if Youth Council is the entire WDB.
- V. Check if Youth Council is the EAG.
- VI. Provide the name and title of each member.
- VII. Provide the Institution/Organization name of each member.
- VIII. Place an X to indicate the chair (and/or co-chairs).
- IX. Provide the sector the member represents on the WDB.

CHANGE IN MEMBERSHIP FORM

INSTRUCTIONS

The following are instructions for the Change in Membership Form for Workforce Development Board (WDB), Youth Council (YC), and Education Advisory Group (EAG) members.

Header: Identify the Michigan Works! Agency (MWA) by name and identifying number.

Section I: Membership Category

Check each category that applies. If this change concerns a WDB member only, check the first corresponding area. If this concerns a member of the WDB, EAG, and YC, check all three-category areas. If this change affects the chair of the board, EAG, or Youth Council, please check as appropriate. If this change affects an alternate, please check as appropriate.

Purpose of Change

If this is a new member, please check as appropriate. The member data in Section II will need to be completed. If a member is leaving, provide name of member in Section II. If a member's data changes (change of address, etc.), indicate under Purpose of Change in Section I and provide new data in Section II.

Section II: Member Data

Provide all information as required in this section.

Section III: WDB Sectors

Check all that apply.

Section IV: EAG Sectors

Check all that apply.

Signature of MWA Director and Date.

Please submit all completed forms to the Advisory Administration Unit of DELEG.

CHANGE IN MEMBERSHIP FORM

Workforce Development Board (WDB), Youth Council (YC), Education Advisory Group (EAG)

Michigan Works! Agency (MWA) _____ MWA Letter _____

Contact Name _____ Phone # _____

Section I. MEMBERSHIP CATEGORY:*Check all that apply:*

WDB Member (*Check all applicable sectors in the box (es) below*)
 Chairperson **Alternate** for _____
 YC Member (*Check all applicable sectors in the box (es) below*)
 Chairperson **Alternate** for _____
 EAG Member (*Check all applicable sectors in the box (es) below*)
 Chairperson **Alternate** for _____

Purpose of change:

New Member – Replacing a former member
 Name of member leaving/being replaced: _____
 New Member – Added to fulfill expanded requirements/Does not replace a former member
 Member Leaving – Will not be replaced. Name of Member: _____
 Changes to Member Data Only

Section II. MEMBER DATA:

Sector: _____
Name of Member: (*Title, First, Last*) _____
Job Title: _____
Company/Organization/Institution: _____
Address: _____
City: _____ **State:** _____ **Zip:** _____
Phone Number: _____ **Fax Number:** _____
Email Address: _____
Term Time frame: _____

Section III. WDB

Education
 Organized Labor
 Private Sector
 Top 15
 Rehabilitation Services
 Economic Development
 Public Assistance
 Other (WDB)
 CBO
 Employment Service
 DELEG

Section IV. EAG

Local School District
 Postsecondary Institution
 ISD
 Career and Technical Educator
 Public School Parent
 Academic Educator
 WDB Member
 Employer
 Labor Representative
 Other (EAG)

MWA Director's Signature: _____ Date: _____

Please submit completed form with original signature to:

Council for Labor & Economic Growth (CLEG)
 Department of Energy, Labor & Economic Growth (DELEG)
 Advisory Administration Unit (AAU)
 Victor Office Center, 201 N. Washington Square, Suite 150, Lansing, MI 48913
 E-mail: cleg@michigan.gov – Telephone: (517) 241-8408